UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,863	04/12/2001	Arun Ahuja	CITI0219-US	1395

27510   7590   01/22/2007
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ART UNIT	PAPER NUMBER
2154	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 October 2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-23 are subject to examination.

Response to Arguments

2.   Applicant's arguments filed 10/27/2006 have been fully considered but they are

not persuasive for the following reasons:

Applicant's argument: Claims 1 and 7

"The portions of Langseth cited by the Office do not disclose the highlighted

limitations. Importantly, the limitation requires a determination of status as a member or

non-member customer of the: "institution providing the notification system."

"Similarly, with respect to dependent claim 3, since there is no distinction

between member and n :,n-member subscribers described in Langseth, the limitation of

claim 3 clearly is not disclosed."

"Langseth makes no distinction between member and non-member subscribers

to the notification system. Accordingly, Langseth does not disclose means for

determining a subscriber's status as member or non-member nor does Langseth

disclose means prompting a subscriber to select at least one requested event wherein

member and non-member subscribers are presented with different event options

depending on their status. Langseth does not anticipate the language of independent

claim 7."

Examiner's response:

Examiner would like to present the relevant definitions of the cited portions of

Langseth to address the claim limitations in question.

First, defining "Subscriber who is a member customer" and defining "services",

Langseth teaches at col. 3, line 59-col. 4, line 10, "A subscriber is any individual or

entity that signs up to receive a service. A service may be delivered based on a

schedule, an exception (such as an alert trigger condition) or upon initiation by an

external system or person. A schedule is the frequency for which a service is sent to be

processed (e.g., end-of-day (after 5 p.m.), intra-day (every hour between 10 a.m. and 5

p.m.), end-of-week (5 p.m. on Friday)). A style refers to the presentation of the output

of a service (e.g., a different style exists for a pager versus an email output due to the

device constraints). Each subscriber may also select to personalize the service content.

Personalization may include preferences for types of content, information, etc. that the

user desires to receive within the scope of a particular service. For example, for a

service that sends an end-of-market report, the user may only want to see the portions

of the report that deal with stocks in her individual portfolio. The service output may

also include non-personalized content such as in the previous example, the Dow Jones

Average for the day." This subscriber subscribing **these services** is "a member

customer."

Second, defining affiliate and affiliate's customers as being non-member

customers of the services which are subscribed by the member customers as above,

Langseth teaches at col. 4, line 31-21 and col. 9, line 36-39, respectively, The system

also enables affiliates to participate and include affiliate-specific information in the

outputs generated from the system. An affiliate may comprise an entity that establishes

a relationship with the host system to distribute content to its subscribers or

customers.", and "The affiliates may comprise <u>financial institutions</u>, communications companies, device manufacturers, Internet companies, and the media, for example."

The subscriber's or customers of the affiliates are "non-member customers of the services that are subscribed by the member customers" wherein affiliates are "financial institutions, communications companies, device manufacturers, Internet companies." **(Thus Langseth teaches customer as a member customer or a non-member customer of an institution providing the notification system.")**

Third, <u>defining how</u> "the services through affiliates are provided, Langseth teaches at col. 25, lines 58- col. 26, line 35, "An embodiment of a method practiced between an affiliate and a personalized intelligence network is depicted in FIG. 18. Method 900 involves an affiliate establishing a relationship with a personalized intelligence network and then enlisting subscribers in step 902.

Step 902 may involve the affiliate providing an advertisement for the PIN wherein the subscribers to the network input a code or some other indicator where they learned of the personalized intelligence network. Through use of the code or other indicator, the PIN may then share fees with the affiliate as discussed below in step 914. Step 902 may also involve providing a link to the subscription interface system for the PIN. If the subscription interface for the PIN is an Internet subscription interface, then the affiliate may display a link to the subscription interface web site. The link may be tracked for later attribution to the affiliate. Also, the subscription interface may be hosted on the server for the affiliate system. Also, the affiliate web site may provide the pages from the subscription interface within the look and feel of the affiliate web site so that the user

believes that the subscription is being done directly with the affiliate rather than through

another entity. Also, step 902 may be performed through bundling a service or product

provided by the affiliate with a subscription. For example, a pager entity may sell a

pager service with a weather alert service as an additional option as a package.(A)

Other methods and steps for enabling the affiliate to enlist a subscriber may be used.

Ideally, the subscription through the affiliate may be tracked for fee sharing as described

below.

Next, in step 904, the subscription information is recorded by the subscription

interface of the PIN. From this point on, the PIN may perform all handling of the

subscription. In this way, the affiliate is provided with content for its customers/users

with only requiring the enlistment step of step 902.

After the user is passed to the subscription interface, in step 906, the PIN

enables the subscriber to subscribe to one or more channels and to one or services for

each of the one or more channels. The channels to which the subscriber may enlist

may be related to the affiliate in some manner. For example, a sports web site may

only desire to have subscribers that subscribe to the PIN through that site be able to

sign up for a sports channel. Additionally, as described below, an affiliate may have its

own channel that is only available to users that subscribe through that affiliate. Affiliates

may also be able to specify which services are available from each channel for its

subscribers.(B)

As marked as (A) above, Also, step 902 may be performed through bundling a

service or product provided by the affiliate with a subscription. For example, a pager

entity may sell a pager service with a weather alert service as an additional option as a package.", here, as stated above, the subscriber's or customers of the affiliates are "non-member customers of the services that are subscribed by the member customers" wherein affiliates are "financial institutions, communications companies, device manufacturers, Internet companies." Are provided with " a service" as an additional option as a package which is "to select at least one requested event". Thus, **Langseth teaches** "prompting the customer to select at least one requested event, wherein a member customer is provided with more event choices than a non-member customer.", and "means" for it also.

Fourth, defining how the service delivery is processed, Langseth teaches at col. 9, line 11-17, "In step 18, **the service may be processed for each subscriber** to that service **to generate an output for each subscriber based on that subscriber's personalization requests.**"

Thus, Langseth teaches "determining a status of the customer as a member customer or a non-member customer of an institution providing the notification system", and "means" for it also.

Applicant's argument: Claim 8

"But, the undersigned fails to see where this portion of Langseth discloses an internal source for financial information?

Examiner's response:

In conjunction with Fig.19, Langseth teaches at col. 17, line 11-35, "A method 925 is depicted in FIG. 19 relating a method for affiliates to provide input into the output

generated by a PIN. In step 916, an affiliate may provide content to one or more of the channel databases. Methods for loading content into a channel database are described below and any of those methods or any other method of loading data may be provided. The affiliate content provided in step 916 may comprise transactional data, informational data, subscriber data, or any other data. That data may comprise continuous stream data from the affiliate, such as instant stock trades or current purchases as a retail store or may include periodically updated information. Also, the data may comprise data from the affiliate's data warehouse or other archival database that may describe subscriber's historical relationship with the affiliate. For example, **if the affiliate is a bank,** the data may comprise a complete transactional history of the subscriber with that bank so that the channel database is enriched with a broader base of data from which to generate reports. The data from step 916 may be loaded either into a pre-existing channel database with other informational and/or transactional data at the PIN (step 920) or may be used to create a specific channel for that affiliate (step 918). If an affiliate-specific channel is created, that channel may be limited in availability to only the affiliate's subscribers or may also be shared with other affiliate's subscribers."

Applicant's interpretation of the reference is erroneous as "the service" is provide through affiliate as explained in claim 1 and 7. Thus, "pre-existing database" is "external source" and "other informational and/or transactional data" is "internal source."

Applicant's argument: Claim 8

"The undersigned does not dispute that Langseth discloses a data distribution s:

,stem for preparing messages, but there is no teaching of a notification report

inventorying a list of messages that have been sent to a customer during a specific time

period." ·

Examiner's response:

Since claim lacks "inventorying", Examiner did not interpret the claim as applicant

does, however, Examiner now understands "inventorying".

Langseth teaches at col. 26, line 36-51, " Next, step 908 may be performed. In

step 908, subscribers may be charged a fee for subscribing to PIN services. A plurality

of subscription charging methods may be employed in step 908 including a fee per

service, a fee per channel, an annual fee, a monthly fee, **a fee per alert,** multi-tiered

billing etc. Different fees may be charged depending on the output device to which the

user desires output. For example, fees for wired devices such as telephones may be

greater than to a wireless device. Also, if monthly fees are charged, the fees may be

pro rated depending on when the user subscribes or terminates a subscription in the

monthly billing cycle for the service. Many billing methodologies exist for services today

and any such methodologies may be used with the present invention. As described

below, the subscription interface may· comprise **a subscription transaction**

processing module that performs initial charging and **periodic billing** as well.

Also in conjunction with Fig.19, Langseth teaches at col. 17, line 11-35, "A

method 925 is depicted in FIG. 19 relating a method for affiliates to provide input into

the output generated by a PIN. In step 916, an affiliate may provide content to one or

more of the channel databases. Methods for loading content into a channel database

are described below and any of those methods or any other method of loading data may

be provided. The affiliate content provided in step 916 may comprise transactional

data, informational data, subscriber data, or any other data. That data may comprise

continuous stream data from the affiliate, such as instant stock trades or current

purchases as a retail store or may include periodically updated information. Also, the

data may comprise data from the affiliate's data warehouse or other archival database

that may describe subscriber's historical relationship with the affiliate. For example, if

the affiliate is a bank, the data may comprise **a complete transactional history of**

the subscriber with that bank so that the channel database is enriched with a broader

base of data **from which to generate reports.** The data from step 916 may be loaded

either into a pre-existing channel database with other informational and/or transactional

data at the PIN (step 920) or may be used to create a specific channel for that affiliate

(step 918). If an affiliate-specific channel is created, that channel may be limited in

availability to only the affiliate's subscribers or may also be shared with other affiliate's

subscribers."

Thus, Langseth teaches "a notification report inventorying a list of messages that

have been sent to a customer during a specific time period."

Applicant's argument: Claim 19

"There is no description of an internal source of financial information and clearly

no description of the incoming financial information received from the at least one inside

source resulting from a change in at least one customer account maintained by the host

financial institution. Accordingly, the undersigned fails to see how these portions of Langseth disclose the bolded limitations of claim 19."

Examiner's response:

In conjunction with Fig.19, Langseth teaches at col. 17, line 11-35, "A method 925 is depicted in FIG. 19 relating a method for affiliates to provide input into the output generated by a PIN. In step 916, an affiliate may provide content to one or more of the channel databases. Methods for loading content into a channel database are described below and any of those methods or any other method of loading data may be provided. The affiliate content provided in step 916 may comprise transactional data, informational data, subscriber data, or any other data. That data may comprise continuous stream data from the affiliate, such as instant stock trades or current purchases as a retail store or may include periodically updated information. Also, the data may comprise data from the affiliate's data warehouse or other archival database that may describe subscriber's historical relationship with the affiliate. For example, **if the affiliate is a bank,** the data may comprise a complete transactional history of the subscriber with that bank so that the channel database is enriched with a broader base of data from which to generate reports. The data from step 916 may be loaded either into a pre-existing channel database with other informational and/or transactional data at the PIN (step 920) or may be used to create a specific channel for that affiliate (step 918). If an affiliate-specific channel is created, that channel may be limited in availability to only the affiliate's subscribers or may also be shared with other affiliate's subscribers."

Applicant's interpretation of the reference is erroneous as "the service" is provide

through affiliate as explained in claim 1 and 7. Thus, "pre-existing database" is "outside

source" and "other informational and/or transactional data" is "inside source."

Thus, receiving financial information into a second database of the

notification system, wherein the incoming financial information is received into

the second database from at least one outside source and at least one inside

source, and further wherein the incoming financial information received from

the at least one inside source results from a change in at least one customer

account maintained by the host financial institution. (please note "if the affiliate is a

bank.")

Applicant's argument:

The undersigned submits that claim 23 is allowable for the reasons stated above

with respect to claims 1, 7 and 19.

Examiner's response:

Please refer to the explanations provided above for claims 1, 7 and 19.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-3, 5-17 and 19-23 are rejected under 35 U.S.C. 102(e) as being

anticipated by Langseth et al. (hereinafter Langseth)(US 6, 694, 316 B1).

Referring to claim 1,

Langseth teaches a method for notifying a customer of at least one requested

event (col. 3, line 59-66, "A subscriber is any individual or entity that signs up to receive

a service. A service may be delivered based on a schedule, an exception (such as an

alert trigger condition) or upon initiation by an external system or person. A schedule is

the frequency for which a service is sent to be processed (e.g., end-of-day (after 5

p.m.), intra-day (every hour between 10 a.m. and 5 p.m.), end-of –week (5 p.m. on

Friday)).") comprising:

providing the customer with access to a notification system (col.3, line 21-31,

"Subscribers may then sign up to receive output from one or more services from one or

more of the channels of information. A service should be understood to be formatted

content that is sent to certain subscribers at a certain frequency or based on the

occurrence of a predetermined event, such as an update to a database. For example, a

service for a finance channel may be called "Market Update" that sends an email to

subscribers every day at 5 p.m. with a summary of the market results for the day. That

same service may be scheduled to run periodically throughout the day when new

market information is loaded into the investor channel database."), including,

(i)   determining a status of the customer as a member customer or a non-

member customer of an institution providing the notification system (col. 3, line 34-38,

"By categorizing information into channels based on subject-matter, users may more

easily identify the content they want and the system may provide more options to customize fees that may be charged to the subscriber.", col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers, however not all customers (non-member customer) are subscribers. Thus system has to determine the status of the customer.),

(ii) generating access data for the customer, and (iii) prompting the customer for the access data (col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more channels through a web interface system that identifies each of the available types of information that the user may access.");

prompting the customer to select at least one requested event, wherein a member customer is provided with more event choices than a non-member customer (col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers (non-member customer), however not all customers are subscribers.", col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to

subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more channels through a web interface system that identifies each of the available types of information that the user may access.");

storing the customer's at least one requested event selection in a first database (col. 4, line 33-39, "The subscriber information may be stored in a subscription database that are periodically provided to the channel databases. The subscription information for each subscriber to a service handled by a channel database may be stored for the service for later processing and generation of service output by the system.");

prompting the customer to select at least one method of notification; .

storing the customer's at least one method of notification selection in the first database (col. 4, line 28-33, col. 15, line 62-65, "These messages can be sent to pagers, mobile phone, email servers, fax machines, personal digital assistants, as HTML pagers, telephone, and other terminal devices.");

prompting the customer to select at least one time for notification;

storing the customer's at least one time for notification selection in the first database (col. 4, line 22-38, col. 11, line 7-48);

receiving trigger data from at least a second database into the notification system that triggers the at least one requested event (col. 4, line 63-66, "A nerve center is provided to control the overall operation of the system. Specifically, the nerve center tracks updates to the channel database and the data load system and controls operation of the data distribution system.");

formulating a notification message that includes information about the at least

one requested event; and

sending the notification message to the customer via the customer's at least one

method of notification at the customer's at least one time for notification (col. 15, line 55-

col. 16, line 3, "Data distribution system 42 may comprise software coded components

operated on hardware systems. In an embodiment, both message generator system 68

and message mail formatting system 70 may be provided on a single processing

system. The software coded components may comprise Visual Basic 6.0 code that

loads data from the Channel Databases and sends that information to end users,

whether there is only one or millions. These messages can be sent to pagers, mobile

phones, email servers, fax machines, personal digital assistants, as HTML pagers,

telephone, and other terminal devices. It achieves this scaling by a multiple-tier

architecture that allows for load balancing and scalability on many data distribution

servers 62 controlled by one data distribution control system 60. Data distribution

system 42 retrieves the data for messages, formats these messages, and sends them

through mail server system 72.")

Referring to claims 2 and 3,

Langseth teaches the method according to claim 1, further comprising

prompting the customer to select a method of payment for using the notification system,

and the method according to claim 2, wherein only non-member customers are

prompted to select a method of payment for using the notification system (col. 13, line

24-30, "Additionally, a transaction processing system may be provided to execute

transactions related to the subscription. For example, the subscriber may be charged a

fee for the transaction and the subscription transaction processing system 47 may

execute that transaction using credit card, electronic payments, or any other method of

payment to execute that transaction.")

Referring to claim 5,

Langseth teaches the method according to claim 1, wherein the second

database contains customer-specific financial account information (col.5, line 29-33).

Referring to claim 6,

Langseth teaches the method according to claim 5, wherein the customer is a

non-member customer (col. 4, line 17-21).

Referring to claim 7,

Langseth teaches a system for notifying a customer of at least one requested

event (col. 3, line 59-66, ""A subscriber is any individual or entity that signs up to

receive a service. A service may be delivered based on a schedule, an exception (such

as an alert trigger condition) or upon initiation by an external system or person. A

schedule is the frequency for which a service is sent to be processed (e.g., end-of-day

(after 5 p.m.), intra-day (every hour between 10 a.m. and 5 p.m.), end-of –week (5 p.m.

on Friday).") comprising:

means for providing the customer with access to a notification system (Fig. 3,

element 24, col. 3, line 21-31, "Subscribers may then sign up to receive output from one

or more services from one or more of the channels of information. A service should be

understood to be formatted content that is sent to certain subscribers at a certain

frequency or based on the occurrence of a predetermined event, such as an update to a database. For example, a service for a finance channel may be called "Market Update" that sends an email to subscribers every day at 5 p.m. with a summary of the market results for the day. That same service may be scheduled to run periodically throughout the day when new market information is loaded into the investor channel database."), including,

(i) means for determining a status of the customer as a member customer or a non-member customer of an institution providing the notification system (col. 3, line 34-38, "By categorizing information into channels based on subject-matter, users may more easily identify the content they want and the system may provide more options to customize fees that may be charged to the subscriber.", col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers, however not all customers (non-member customer) are subscribers. Thus system has to determine the status of the customer.),

(ii) means for generating access data for the customer, and (iii) means for prompting the customer for the access data (col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more

channels through a web interface system that identifies each of the available types of information that the user may access.");

means for prompting the customer to select at least one requested event, wherein the member customer is provided with more event choices than the non-member customer(col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers, however not all customers (non-member customer) are subscribers.", col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more channels through a web interface system that identifies each of the available types of information that the user may access.");

means for storing the customer's at least one requested event selection (col. 4, line 33-39);

means for prompting the customer to select at least one method of notification;

means for storing the customer's at least one method of notification selection (col. 4, line 28-33, col. 15, line 62-65, "These messages can be sent to pagers, mobile phone, email servers, fax machines, personal digital assistants, as HTML pagers, telephone, and other terminal devices.";

means for prompting the customer to select at least one time for notification;

means for storing the customer's at least one time for notification selection (col. 4, line 22-38, col. 11, line 7-48);

means for receiving trigger data from at least a second database into the notification system that triggers the at least one requested event (col. 4, line 63-66, "A nerve center is provided to control the overall operation of the system. Specifically, the nerve center tracks updates to the channel database and the data load system and controls operation of the data distribution system.");

means for formulating a notification message that includes information about the at least one requested event; and means for sending the notification message to the customer via the customer's at least one method of notification at the customer's at least one time for notification (col. 15, line 55-col. 16, line 3, "Data distribution system 42 may comprise software coded components operated on hardware systems. In an embodiment, both message generator system 68 and message mail formatting system 70 may be provided on a single processing system. The software coded components may comprise Visual Basic 6.0 code that loads data from the Channel Databases and sends that information to end users, whether there is only one or millions. These messages can be sent to pagers, mobile phones, email servers, fax machines, personal digital assistants, as HTML pagers, telephone, and other terminal devices. It achieves this scaling by a multiple-tier architecture that allows for load balancing and scalability on many data distribution servers 62 controlled by one data distribution control system 60. Data distribution system 42 retrieves the data for messages, formats these messages, and sends them through mail server system 72.")

Referring to claim 8,

Langseth teaches a system for notifying a customer of at least one requested

event comprising:

means for generating a customer's financial notification preferences (col. 11, line 7-48)

which include,

(i) at least one requested event(col. 11, line 7-48),

(ii) a customer's notification method preferences (col. 4, line 28-33), and

(iii) a customer's time for notification preferences (col. 11, line 7-48);

a database containing the customer's financial notification preferences (col. 4,

line 33-39, Fig.3, element 26);

a database containing financial information, wherein the financial information is

collected from at least one internal source and at least one external source (Fig. 19,

elements 916, 918, 920);

a notification message generator for comparing the at least one requested event

with the financial information and generating a notification message when the financial

information matches the at least one requested event (col. 15, line 55-col. 16, line 3, col.

11, line 7-48);

a notification gateway for sending the notification message to the customer

according to the customer's notification method preferences and time for notification

preferences (Fig. 6); and

a database for generating a notification report at the customer's request, wherein

the notification report includes at least data describing each notification message sent to

the customer during a customer selected period of time (Fig. 5, element 62, line 15, line

55-col. 16, line 3, col. 26, line 36-51,).

Referring to claim 9,

Langseth teaches the system according to claim 8, wherein the at least one

requested event is related to one of the following group consisting of a customer

checking account, a customer savings account, a customer financial portfolio, a

customer credit card, stock quotes, foreign exchange rates, interest rates, and loans

(col. 11, line 7-48).

Referring to claim 10,

Langseth teaches the system according to claim 8, wherein the customer's

notification method preferences are selected from the following group consisting of

electronic mail, hypertext mark-up language, pager, mobile phone text messaging,

extensible mark-up language, facsimile, short message service, and telephone (col. 4,

line 28-33, col. 15, line 62-65)

Referring to claim 11,

Langseth teaches the system according to claim 8, wherein the customer's

notification time preferences are selected from the following group consisting of

instantaneously, hourly, daily, weekly, and monthly (col. 11, line 7-48).

Referring to claim 12,

Langseth teaches the system according to claim 8, wherein the at least one

internal source is a financial institution that is hosting the system (Fig. 19, elements 916,

918, 920).

Referring to claim 13,

Langseth teaches the system according to claim 8, wherein the at least one external source is the Internet (Fig. 2A, element 202)

Referring to claim 14,

Langseth teaches the system according to claim 8, wherein the at least one external source is a financial institution that is not hosting the system (Fig. 2A, element 40).

Referring to claim 15,

Langseth teaches the system according to claim 8, wherein customers are identified in the first database as being either member customers or non-member customers (Fig. 2A, elements 40 and 202, col. 4, line 17-21).

Referring to claim 16,

Langseth teaches the system according to claim 15, wherein the at least one external source is a non-member customer's financial institution (col. 11, line 7-48).

Referring to claim 17,

Langseth teaches the system according to claim 8, wherein the financial information includes customer's checking account balance, customer's savings account balance, customer's portfolio value, stock quotes, and interest rates(col. 11, line 7-48).

Referring to claim 19,

Langseth teaches a method for formulating an alert message containing financial information for a customer (col. col. 3, line 59-66) comprising:

storing an alert prompt in a first database of a notification system hosted by a

financial institution (col. 11, line 7-48), wherein the alert prompt includes,

(i) prompt details(col. 11, line 7-48),

(ii) a preferred method for notifying the customer of the alert

message (col. 4, line 28-33, col. 15, line 62-65), and

(iii) a preferred time for notifying the customer of the alert message (col. 11, line

7-48, col. 4, line 22-38)

receiving financial information into a second database of the notification system

(col. 4, line 63-66),

wherein the incoming financial information is received into the second database

from at least one outside source and at least one inside source, and further wherein the

incoming financial information received from the at least one inside source results from

a change in at least one customer account maintained by the host financial institution

(col. 7, line 7-48, Fig. 19, elements 916, 918, 920) ;

comparing the incoming financial information with the prompt details of the alert

prompt in the first database (col. 7, line 7-48, "In a finance channel, one or more of the

following services may be provided: weekly portfolio summary, high 200-day moving

averages by sector, low 200-day moving averages by sector, price-sales ratio by sector,

annual total return by sector, broker recommendations by industry, P/E analysis by

sector, book value analysis by sector, earnings growth rate to price appreciation by

sector, comparison of dividend yields, earnings yields and P/E ratios of selected stocks

by sector, today's winners by largest points increase, today's winners by largest money

moved, today's loser's by largest points drop, low revenue growth alert, high revenue growth alert, stock split alert, new offering alert, new high's alert, new high's within my industry sectors, new low's alert, new high's for stocks in my portfolio, top price percentage gainer, lowest price percentage movers, top money movers in my portfolio, smallest money movers, above-average trading alert, market's largest money movers, portfolio's largest money movers, most actively trading stocks in my portfolio, low P/E stocks, low P/E's by sector, change in consensus estimate alert, analyst recommendation alert, above average trading alert, new 52 week high/low alert, stock split in portfolio alert, stock splits, comparable analysis on all portfolio stocks, tech sector update, sector trading analysis, earnings growth, latest twelve month financial update, P/E analysis, quarterly technical analysis, portfolio stocks by LTM revenues, portfolio stocks by capitalization, portfolio stocks by revenue and P/E analysis, portfolio stocks by capitalization and earnings analysis, dividend alert, quarterly sheets, cash flow statement, winners by sector, highest P/E by industry, lowest P/E ratios by industry, industry comparisons, sector comparison, new 52 week highs and lows by industry, top analysis recommendations, weekly analysis and portfolio summary, market update, currency analysis, intraday alerting (stock) and intraday alerting (currency), stock market news alert, stock market news analysis, sector indices, losers by market, earnings reports today, price alert, tech stocks, IPO center, IPO alert, and benchmark alert, for example. Additionally, when subscribers sign up for services on the finance channel, the following information may be input: frequency of updates, sectors of interest, currency of interest, stocks in portfolio, news interests, output methodology

among other personalization options." **Note: Comparison is inherent of the operation of

the system.);** and

notifying the customer through the preferred method at the preferred time

through an alert message when the prompt details match the incoming financial

information (col. 15, line 55-col. 16, line 3, col. 4, line 28-33, col. 15, line 62-65)

Referring to claim 20,

Langseth teaches the system according to claim 19, wherein the at least one

internal source is a financial institution that is hosting the system (Fig. 19, elements 916,

918 and 920).

Referring to claim 21,

Langseth teaches the system according to claim 19, wherein the at least one

external source is the internet (Fig. 2A, element 202).

Referring to claim 22,

Langseth teaches the system according to claim 19, wherein the at least one

external source is a financial institution that is not hosting the system (Fig. 2A, element

40).

Referring to claim 23,

Langseth teaches a method for notifying a customer of at least one requested

event (col. 3, line 59-66, "A subscriber is any individual or entity that signs up to receive

a service. A service may be delivered based on a schedule, an exception (such as an

alert trigger condition) or upon initiation by an external system or person. A schedule is

the frequency for which a service is sent to be processed (e.g., end-of-day (after 5

p.m.), intra-day (every hour between 10 a.m. and 5 p.m.), end-of –week (5 p.m. on Friday)).") comprising:

providing the customer with access to a notification system (col.3, line 21-31, "Subscribers may then sign up to receive output from one or more services from one or more of the channels of information. A service should be understood to be formatted content that is sent to certain subscribers at a certain frequency or based on the occurrence of a predetermined event, such as an update to a database. For example, a service for a finance channel may be called "Market Update" that sends an email to subscribers every day at 5 p.m. with a summary of the market results for the day. That same service may be scheduled to run periodically throughout the day when new market information is loaded into the investor channel database."), including,

(i)   determining a status of the customer as a member customer or a non-member customer of an institution providing the notification system (col. 3, line 34-38, "By categorizing information into channels based on subject-matter, users may more easily identify the content they want and the system may provide more options to customize fees that may be charged to the subscriber.", col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers, however not all customers (non-member customer)are subscribers. Thus system has to determine the status of the customer.),

(ii) generating access data for the customer, and (iii) prompting the customer for the access data (col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more channels through a web interface system that identifies each of the available types of information that the user may access.");

prompting the customer to select at least one requested event, wherein a member customer is provided with more event choices than a non-member customer (col. 4, line 17-21, "For example, an Internet service provider, such as Earthlink, may offer its customers the option of receiving information and may then include Earthlink specific information in the content distributed to its subscribers.", **Note:** subscribers (member customer) are customers, however not all customers (non-member customer) are subscribers.", col. 4, line 22-29, "According to the present invention, one or more channels of personalized intelligence information are accessed and distributed to subscribers to one or more services provided for each channel. Subscribers may sign up to receive one or more services for each of the one or more channels through a web interface system that identifies each of the available types of information that the user may access.");

prompting the customer to select at least one method of notification; (col. 4, line 28-33, col. 15, line 62-65, "These messages can be sent to pagers, mobile phone, email

servers, fax machines, personal digital assistants, as HTML pagers, telephone, and

other terminal devices.");

prompting the customer to select at least one time for notification (col. 4, line 22-

38, col. 11, line 7-48);

formulating an alert prompt wherein the alert prompt includes,

(iv) the at least one requested event (col. 11, line 7-48),,

(v) the customer's at least one method of notification (col. 4, line 28-33, col. 15,

line 62-65),, and

(vi) the customer's at least one time for notification (col. 11, line 7-48, col. 4, line

22-38);

storing the alert prompt in a first database of the notification system (col. 11, line

7-48, col. 4, line 28-39, col. 15, line 62-65);

receiving financial information into a second database of the notification system,

wherein the incoming financial information is received into the second database from at

least one outside source and at least one inside source, and further wherein the

incoming financial information received from the at least one inside source results from

a change in at least one customer account maintained by the host institution (col. 7, line

7-48, Fig. 19, elements 916, 918, 920);

comparing the incoming financial information with the at least one requested

event of the alert prompt in the first database (col. 7, line 7-48, "In a finance channel,

one or more of the following services may be provided: weekly portfolio summary, high

200-day moving averages by sector, low 200-day moving averages by sector, price-

sales ratio by sector, annual total return by sector, broker recommendations by industry, P/E analysis by sector, book value analysis by sector, earnings growth rate to price appreciation by sector, comparison of dividend yields, earnings yields and P/E ratios of selected stocks by sector, today's winners by largest points increase, today's winners by largest money moved, today's loser's by largest points drop, low revenue growth alert, high revenue growth alert, stock split alert, new offering alert, new high's alert, new high's within my industry sectors, new low's alert, new high's for stocks in my portfolio, top price percentage gainer, lowest price percentage movers, top money movers in my portfolio, smallest money movers, above-average trading alert, market's largest money movers, portfolio's largest money movers, most actively trading stocks in my portfolio, low P/E stocks, low P/E's by sector, change in consensus estimate alert, analyst recommendation alert, above average trading alert, new 52 week high/low alert, stock split in portfolio alert, stock splits, comparable analysis on all portfolio stocks, tech sector update, sector trading analysis, earnings growth, latest twelve month financial update, P/E analysis, quarterly technical analysis, portfolio stocks by LTM revenues, portfolio stocks by capitalization, portfolio stocks by revenue and P/E analysis, portfolio stocks by capitalization and earnings analysis, dividend alert, quarterly sheets, cash flow statement, winners by sector, highest P/E by industry, lowest P/E ratios by industry, industry comparisons, sector comparison, new 52 week highs and lows by industry, top analysis recommendations, weekly analysis and portfolio summary, market update, currency analysis, intraday alerting (stock) and intraday alerting (currency), stock market news alert, stock market news analysis, sector indices, losers by market,

earnings reports today, price alert, tech stocks, IPO center, IPO alert, and benchmark

alert, for example. Additionally, when subscribers sign up for services on the finance

channel, the following information may be input: frequency of updates, sectors of

interest, currency of interest, stocks in portfolio, news interests, output methodology

among other personalization options." **Note: Comparison is inherent of the operation of**

the system.); and

sending a notification message to the customer via the customer's at least one

method of notification at the customer's at least one time for notification when the at

least one requested event matches the incoming financial information. (col. 15, line 55-

col. 16, line 3, col. 4, line 28-33, col. 15, line 62-65)

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Langseth et al. (hereinafter Langseth)(US 6, 694, 316 B1). in view of Rajan et al.

(hereinafter Rajan) (US 6, 633, 910)

Referring to claim 4,

Langseth teaches the method according to claim 1, wherein at least the steps of

providing the customer with access to a notification system (col. 4, line 17-21, 22-28),

prompting the customer to select at least one requested event (col. 4, line 22-28),

prompting the customer to select at least one method of notification (col. 4, line 33-39),

but, Langseth fails to teach prompting the customer to select at least one time for

notification are performed by a customer service representative.

Rajan teaches at col. 10, line 10-18, "It will be apparent to one with skill in the art

that knowledge workers associated with creating input and output templates may

perform their services from anywhere in a connected network without departing from the

spirit and scope of the present invention. In one embodiment, input templates are

supplied by knowledge workers (customer representative) associated with the service,

while output templates are created by knowledge workers that are associated with

various network hosting entities."

Therefore, it would have been an obvious to one of an ordinary skill in art, having

the teachings of Langseth and Rajan in front of him at the time of invention was made,

to add knowledge worker's functionality of Rajan into Langseth's creation of event

notification for any subscriber as an option such that the Langseth's subscribers are

given choices whether they would like to use the web interface or the customer

representative to create the subscription.

Referring to claim 18,

Keeping in mind the teachings of Langseth as stated above, Langseth fails to the

system according to claim 8, wherein the means for generating a customer's financial

notification preferences includes a customer service representative.

Rajan teaches at col. 10, line 10-18, "It will be apparent to one with skill in the art that knowledge workers associated with creating input and output templates may perform their services from anywhere in a connected network without departing from the spirit and scope of the present invention. In one embodiment, input templates are supplied by knowledge workers (customer representative) associated with the service, while output templates are created by knowledge workers that are associated with various network hosting entities."

Therefore, it would have been an obvious to one of an ordinary skill in art, having the teachings of Langseth and Rajan in front of him at the time of invention was made, to add knowledge worker's functionality of Rajan into Langseth's creation of event notification for any subscriber as an option such that the Langseth's subscribers are given choices whether they would like to use the web interface or the customer representative to create the subscription.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-

3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan A. Flynn can be reached on (571) 272-1915. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER

Abp
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